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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

GALINA SEEBROOK, individually and on)
 behalf of all others similarly situated,)
 Plaintiffs,)
 v.)
 WHOLE FOODS MARKET CALIFORNIA,)
 INC., a California corporation,)
 Defendant.)

Case No. C11-00842 SC

**STIPULATION AND [PROPOSED]
 ORDER TO EXTEND DEFENDANT'S
 TIME TO ANSWER OR OTHERWISE
 RESPOND TO COMPLAINT;
 DECLARATION OF GIOVANNA A.
 FERRARI IN SUPPORT THEREOF**

Pursuant to Local Rules 6-2 and 7-12, Plaintiff and Defendant, by and through their undersigned counsel, hereby stipulate to extend to April 15, 2011 the deadline for Defendant to answer or otherwise respond to the Complaint for the reasons stated in the Declaration of Giovanna A. Ferrari attached hereto as Exhibit "A." This extension will not change any hearing deadlines set by the Court, and the parties shall comply with all Court scheduling orders issued to date.

IT IS SO STIPULATED.

Dated: March 30, 2011

SEYFARTH SHAW LLP

By: /s/ Giovanna A. Ferrari
Christian J. Rowley
Giovanna A. Ferrari
Attorneys for Defendant
WHOLE FOODS MARKET
CALIFORNIA, INC.

Dated: March 30, 2011

HOFFMAN & LAZEAR

By: /s/ H. Tim Hoffman
H. Tim Hoffman
Chad A. Saunders
Attorneys for Plaintiff
GALINA SEEBROOK

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 3/31/11



EXHIBIT A: DECLARATION OF GIOVANNA A. FERRARI

I, Giovanna A. Ferrari, declare:

1. I am an attorney at law duly licensed to practice before all courts of the State of California. I am an associate at the law firm of Seyfarth Shaw LLP, attorneys of record for Defendant WHOLE FOODS MARKERT CALIFORNIA, INC. ("WFMCI"). The following facts are personally known to me, and if called as a witness, I could and would competently testify thereto.

2. As of the date of this stipulation, only one previous stipulation to extend time has been filed in this matter: On March 11, 2011, a stipulation to extend the time for WFMCI to answer or file a response to the complaint until March 31, 2011 was filed. On March 13, 2011, Judge Spero signed that stipulation.

3. By this stipulation and proposed order, the parties request a 15-day extension of time for WFMCI to answer or otherwise respond to the complaint (until April 15, 2011) so that the parties can attempt to resolve issues that may be the subject of a motion to dismiss.

4. This extension will not change any hearing deadlines set by the Court, and the parties shall comply with all Court scheduling orders issued to date.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed this 30th day of March 2011, at San Francisco, California.

/s/ Giovanna A. Ferrari
Giovanna A. Ferrari

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ATTESTATION PURSUANT TO GENERAL ORDER 45

I, Giovanna A. Ferrari, attest that concurrence in the filing of this document has been obtained from the other signatories.

Dated: March 30, 2011

/s/ Giovanna A. Ferrari
Giovanna A. Ferrari